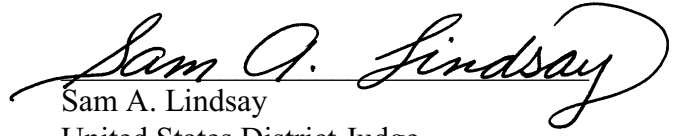




that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **overrules** Plaintiffs' objections; **grants** Defendant New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing's Motion for Summary Judgment (Doc. 70); and **dismisses with prejudice** Plaintiffs' remaining breach of contract claim. Plaintiffs' request for injunctive relief is **denied**, as all other claims by Plaintiffs against Defendants in this case have been dismissed, and Plaintiffs have not satisfied each of the requirements for injunctive relief.\* Accordingly, pursuant to Rule 58 of the Federal Rules of Civil Procedure, the court will enter judgment by separate document.

**It is so ordered** this 28th day of February, 2018.

  
Sam A. Lindsay  
United States District Judge

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\*There are four prerequisites for the extraordinary relief of a temporary restraining order ("TRO") or preliminary injunction. A court may grant such relief only when the movant establishes that:

(1) there is a substantial likelihood that the movant will prevail on the merits; (2) there is a substantial threat that irreparable harm will result if the injunction is not granted; (3) the threatened injury [to the movant] outweighs the threatened harm to the defendant; and (4) the granting of the preliminary injunction [or TRO] will not disserve the public interest.

*Clark v. Prichard*, 812 F.2d 991, 993 (5th Cir. 1987); *Canal Auth. of the State of Florida v. Callaway*, 489 F.2d 567, 572 (5th Cir. 1974) (*en banc*). The party seeking such relief must satisfy a cumulative burden of proving each of the four elements enumerated before a TRO order or preliminary injunction can be granted. *Mississippi Power and Light Co. v. United Gas Pipeline*, 760 F.2d 618, 621 (5th Cir. 1985); *Clark*, 812 F.2d at 993. Otherwise stated, if a party fails to meet *any* of the four requirements, the court cannot grant the TRO or preliminary injunction.